

Applicant: Cave et al.
Application No.: 10/626,165

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 57 – 71, and 73 – 88 are currently pending in this application. Claims 1 – 56 and 72 were previously canceled without prejudice.

Claim Rejections - 35 USC §103(a)

Claims 57-62, 64-69, 71-84 and 86-88 have been rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,330,459 to Crichton (hereinafter “Crichton”) in view of U.S. Patent No. 6,108,323 to Gray (hereinafter “Grey”).

Claim 85 have been rejected under 35 USC §103(a) as being unpatentable over Crichton and Gray in view of U.S. Patent No. 6,593,880 to Velazquez et al. (hereinafter “Velazquez”).

Claims 63, 70 and 88 have been rejected under 35 USC §103(a) as being unpatentable over Crichton and Gray in view of U.S. Patent No. 5,396,541 to Anderson et al. (hereinafter “Anderson”).

Crichton teaches that a base station receives a request for access/service on a wide-area random access channel (RACH) having a dedicated frequency within the communication system (column 5, lines 35 – 38). The ‘communication system’

instructs the base station to respond to the request for access (column 5, line 55 – column 6, line 5). The control processor in the base station determines a direction of arrival of a signal (column 9, lines 15 – 21). The base station directs a beam at the communication device based on a direction of arrival of the RACH at the antenna of the base station (column 5, lines 55 – 65).

Crichton does not disclose *detecting an omnidirectional sounding pulse from a wireless transmit/receive unit (WTRU) on a frequency that is in close proximity to uplink and downlink frequencies and is different from the uplink and downlink frequencies* as recited in independent claim 57, and similarly in independent claims 64, 71, 76, and 82. Instead Crichton teaches sending an access request message on an uplink frequency. In particular, as noted above, Crichton teaches sending the access request message on a wide area RACH (column 5, lines 35 – 38). As one skilled in the art would recognize, the wide area RACH is an uplink control channel and the dedicated frequency used for transmitting the RACH is an uplink frequency.

Furthermore, even assuming that the RACH is different from the “traffic channel TCH”, as indicated in the October 8, 2010 Office Action, the RACH channel is transmitted on an uplink frequency and therefore is not *different from the uplink and downlink frequencies* as recited in independent claim 57, and similarly in independent claims 64, 71, 76, and 82.

Crichton also fails to disclose *receiving from the interface a relative location of the WTRU* as recited in independent claim 57, and similarly in independent claim 71. Instead, Crichton teaches that the base station estimates the angle of reception of a received signal and calculates, rather than receives, a relative location of the communicating device (column 9, lines 15 – 21).

Thus Crichton does not teach, suggest, or imply all of the elements recited in independent claims 57, 64, 71, 76, and 82.

Grey discloses a request for system access sent on an omnidirectional access channel. Grey does not teach, suggest, or imply *detecting .. on a frequency that is .. different from the uplink and downlink frequencies, or receiving from the interface a relative location of the WTRU* as recited in independent claim 57, and similarly in independent claims 64, 71, 76, and 82 respectively. Similarly, both Velazquez and Anderson fail to teach, suggest, or imply the elements recited in independent claims 57, 64, 71, 76, and 82.

Grey, Velazquez, and Anderson, taken alone or in any combination, fail to remedy the deficiencies of Crichton. Therefore claims 57, 64, 71, 76, and 82 are distinguishable over the combination of Crichton, Grey, Velazquez, and Anderson.

Claims 58 – 63, 65 – 70, 72 – 75, 77 – 81, and 83 - 88 depend from claims 57, 64, 71, 76, and 82 respectively, and the Applicants believe these claims are

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allowable over Crichton, Grey, Velazquez, and Anderson for at least the reasons provided above.

Based on the arguments presented above, withdrawal of the 35 U.S.C. § 103(a) rejection of claim 57 – 71, and 73 – 88 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims x - y, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Cave et al.

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